

APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUN 20 1997
 Returned to applicant for correction JUL 01 1997
 Corrected application filed _____
 Map filed JUL 10 1997

The applicant **Everett E. Gustin** hereby makes application for permission to change the **Point of Diversion and the place of use** of water heretofore appropriated under **Permit number 60666**

1. The source of water is **underground**
2. The amount of water to be changed **0.50 c.f.s.**
3. The water to be used for **commercial (emergency fire protection)**
4. The water heretofore permitted for **commercial (shopping center)**
5. The water is to be diverted at the following point **Lot 2 (NW 1/4 NE 1/4) of Section 3, T.33N, R.56E, M.D.B. & M. or at a point from which the N 1/4 corner of said Section 3 bears N 83°16'35" W for a distance of 784.75 feet.**
6. The existing permitted point of diversion is located within **Lot 2 (NW 1/4 NE 1/4) of Section 3 T.33 N., R.56 E., M.D.B. & M. or at a point from which the N 1/4 corner of said section 3 bears N 87° 30' W for a distance of 777 feet.**
7. Proposed place of use **Portions of N 1/2 NW 1/4, NE 1/4 and the NE 1/4 SE 1/4 of Section 3. Portions of W 1/2 NW 1/4, NW 1/4 SW 1/4 of Section 2. T. 33 N., R. 56 E., M.D.B. & M. proposed place of use comprises a total of 154.30 acres.**
8. Existing place of use **Portions of the N 1/2 N 1/2 of Section 3 and Lot 4 (NW 1/4 NW 1/4) of Section 2; all in T.33 N., R.56 E., M.D.B. & M. Existing place of use comprises a total of 53.91 acres.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Well, pump, motor, storage tank and distribution lines to the places of use.**
12. Estimated cost of works **\$250,000**
13. Estimated time required to construct works **18 months**
14. Estimated time required to complete the application of water to beneficial use **2 years**
15. Remarks: **Retail shopping center consisting of approximately 25 stores and offices, Church and apartment complex. Total consumptive**

use is estimated to not exceed 64.5 acre-feet annually.

By s/Everett E. Gustin
P.O. Box 894
Elko, NV 89803

Compared lw/cms jr/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 60666 is issued subject to the terms and conditions imposed in said Permit 60666 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued to expand the place of use for commercial purposes. Emergency back-up supply for the Elko County School District is also authorized under this permit.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.50 cubic feet per second, but not to exceed 64.50 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

February 9, 1999

Proof of completion of work shall be filed before:

March 9, 1999

Application of water to beneficial use shall be filed on or before:

February 9, 2001

Proof of the application of water to beneficial use shall be filed on or before:

March 9, 2001

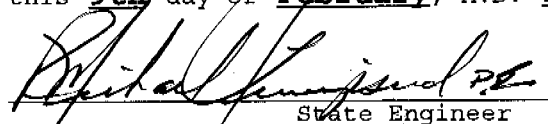
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 9th day of February, A.D. 1998


State Engineer

Completion of work filed

AUG 25 1999

Proof of beneficial use filed

Cultural map filed

Certificate No.

Issued